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# Security Council

Fifty-ninth year

*Provisional*

**4967**th meeting

Tuesday, 11 May 2004, 10 a.m.

New York

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| *President:* | Mr. Akram | (Pakistan) |
| *Members:* | Algeria | Mr. Baali |
| | Angola | Mr. Lucas |
| | Benin | Mr. Adechi |
| | Brazil | Mr. Sardenberg |
| | Chile | Mr. Muñoz |
| | China | Mr. Zhang Yishan |
| | France | Mr. De La Sablière |
| | Germany | Mr. Pleuger |
| | Philippines | Mr. Baja |
| | Romania | Mr. Motoc |
| | Russian Federation | Mr. Konuzin |
| | Spain | Mr. Arias |
| | United Kingdom of Great Britain and Northern Ireland | Sir Emyr Jones Parry |
| | United States of America | Mr. Cunningham |

## Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/348)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-34516 (E)

*The meeting was called to order at 10.30 a.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)**

**Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/348)**

**The President:** I should like to inform the Council that I have received letters from the representatives of Albania, Iceland, Ireland, Japan, Serbia and Montenegro and Ukraine, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Council, I extend a warm welcome to the Minister for Foreign Affairs of Serbia and Montenegro, Mr. Draskovic.

*At the invitation of the President, Mr. Draskovic (Serbia and Montenegro) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.*

**The President:** In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Harri Holkeri, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo.

There being no objection, it is so decided.

I invite Mr. Holkeri to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2004/348, which contains the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

I welcome the presence of the Secretary-General, His Excellency Mr. Kofi Annan, at this meeting.

At this meeting, the Security Council will hear a briefing by Mr. Harri Holkeri, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, to whom I give the floor.

**Mr. Holkeri:** This is my first report to the Council since the brutal wave of violence in mid-March. The violence was the most serious setback to the efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) of the past five years and shook the Mission to its foundations. It challenged the sustainability of the international community's efforts to build a multi-ethnic Kosovo where all citizens could live in peace and security. UNMIK will do all it can to bring to justice all those who provoked or engaged in the violence. Some 270 arrests have been made so far. The priority at this time is to target investigations at the principal organizers as well as at cases of homicide and arson.

Local prosecutors are handling more than 130 cases that are directly related to the riots. Some 50 cases of a more serious nature have been entrusted to international prosecutors. We aim to resolve these cases and to punish the perpetrators. To facilitate that, UNMIK has requested 100 additional police investigators, six international prosecutors and three international judges. So far, 14 police investigators have arrived in Kosovo, and we expect at least 20 more shortly, for which we are most grateful. But we request a more definite commitment from Member States to enable us to move ahead with the investigations.

The arrest of key suspects in the March violence triggered some protest demonstrations. However, they were isolated and this time local politicians were quick to urge veterans' and students' associations not to participate and to refrain from violence.

The focus on investigations into the violence has limited our capacity in other areas, including the fight

against corruption. Nevertheless, there has been some progress in that area with the recent arrest of three individuals.

There have been several other violent events since the March violence. Investigations are progressing well into the murder of two police officials, one local and the other international, near Podujevo on 23 March. All four suspected perpetrators have been identified. One of the attackers was killed in the encounter with the police. Another suspect has since been arrested, and inquiries are ongoing to locate the remaining two.

The Mission suffered yet another shock when, on 17 April, three United States correctional officers were killed and 11 others — 10 United States officers and one Austrian officer — were injured when a Jordanian special police unit officer opened fire without any provocation. The Jordanian police officer was killed when the United States officers returned fire. His four companions, also Jordanian officers, are being investigated for their role in the crime. One of them remains in detention.

The violence has forced us at UNMIK to take a long, hard look at ourselves. Was our response adequate? Did we do enough to prevent the violence? The speed with which violence spread over Kosovo overwhelmed the capacity of Kosovo Force (KFOR) and UNMIK security forces to respond. UNMIK had no means to augment its security forces; KFOR was not reinforced until after the violence ended. Our Mission has been working to review operational procedures and coordination in responding to crises. To that end, I have appointed a review board to examine our response, and I will act on its recommendations.

In reaction to the March unrest, the Prime Minister and other key political leaders, after pressure from the international community, showed responsibility by calling for a halt to the violence. However, they were tardy in specifically condemning the attacks on minorities and minority sites, including religious and cultural sites.

Some politicians used the violence to renew calls for independence. Some senior Government officials and the local media jumped to conclusions about the cause of the 16 March drowning of young Albanian boys and thereby contributed to the trouble. Some went so far as to justify the violence as a legitimate reaction against Serb parallel structures and United Nations "misgovernment". The unprofessional and provocative reporting of the events by many of the local media inflamed the situation.

The impact of the violent attacks on members of the Kosovo Serb, Roma and Ashkali communities was dramatic. Some 4,100 persons were displaced in just two days. The violence has obviously had a very adverse effect on the overall returns process. The viability of returns in 2004 is dependent on a variety of factors, including initiatives on the part of the Provisional Institutions of Self-Government and of Kosovo society to build trust and enhance security. Much will depend on the effectiveness and visibility of the initiative led by the Provisional Institutions to rebuild what has been destroyed as well as on outreach by the Provisional Institutions to the minority communities and on confidence-building and reconciliation efforts.

Achieving progress on returns — including of the newly displaced — and ensuring a truly secure environment for returns will require a substantial increase in the quality and quantity of protection provided by KFOR and the police. In the immediate future, KFOR in particular needs to play a much more substantial role in providing a secure environment regarding returns and minority communities than was envisioned at the outset of this year.

The Kosovo Government's initiative to reconstruct damaged houses is to be commended, and I have welcomed it. But reconstruction must not be allowed to become a half-hearted, superficial effort. UNMIK will continue to work with the Provisional Institutions to ensure that the concerns of community members are fully addressed throughout the process. Rebuilding the physical infrastructure is just the first step; restoring the confidence of the affected communities is even more important.

The current security environment in Kosovo is not conducive to the forcible return of members of minority communities to their homes in Kosovo. We are urging countries where persons from minority communities in Kosovo have been granted temporary protection to extend such protection until such time as their return in conditions of safety and dignity can be guaranteed, in accordance with Security Council resolution 1244 (1999).

The rights of all communities in Kosovo can be ensured, above all by vigorously implementing the

standards for Kosovo. The standards remain a top priority for UNMIK. The Kosovo Standards Implementation Plan sets out in detail what actions are designed to meet the standards, who is responsible for undertaking those actions and when the actions are planned to take place.

The Provisional Institutions and UNMIK began work together on the Implementation Plan the very day we unveiled the "Standards for Kosovo" document last December. We were putting the final touches on the Plan when the violence erupted in March. Just days later, on 31 March, Prime Minister Rexhepi and I jointly launched the Plan. That was a demonstration of our intention to overcome the legacy of the violence and to set the policy course for the future.

The commitment of the Provisional Institutions and of the people of Kosovo to the Plan's implementation is crucial to its success in all areas of the standards. The coming elections will be a test of that commitment. I expect a politically mature election campaign and the swift formation of a new Government. It is imperative that all the political parties maintain their full support for the standards process and that the next Government — whatever its composition — works hard to ensure maximum progress on the standards.

The Implementation Plan is comprehensive and details many policies. There is a great deal to do and little time in which to do it. Progress will require hard work on the part of all the institutions of Kosovo, at both the central and the municipal levels. UNMIK is determined to give all its support to the people and the Government of Kosovo so that they can make the greatest possible progress. Partnership between the Provisional Institutions and UNMIK is the only way for Kosovo to make progress.

The introduction of new and tough actions in the Implementation Plan in the areas of returns and communities as well as freedom of movement was essential to reflect the new reality in Kosovo. I am concerned, however, that the level of commitment displayed so far in those areas by the Provisional Institutions is insufficient. The deadline for the formulation of revised policies on those areas in the Plan following the violence has already been missed. The Provisional Institutions need to do more. I know that the Prime Minister shares my view, and I hope that the necessary commitment will be forthcoming.

As Council members know, the Serb community has chosen not to participate in the standards process. I regret that, and I will continue my efforts to encourage them to change their minds. Other non-Albanian communities are participating, because they understand that the standards process is all about the improvement of conditions for their communities — indeed, for all communities in Kosovo.

The door remains open for the Serb community to participate. I encourage them also to re-engage in the work of the Provisional Institutions and the other institutions of Kosovo. I understand their doubts after the terrible shock of the recent violence, but such participation is the best way to ensure that their voice is heard and to protect their interests.

As Council members are aware, one of the eight standards is direct dialogue between Pristina and Belgrade. Just days before the violence erupted, UNMIK successfully launched two direct-dialogue working groups, on energy and on missing persons. Unfortunately, the outbreak of unrest has forced the postponement of that process.

In the weeks since the violence, leaders in Belgrade and Pristina have told me that, in the current political situation, dialogue is on hold. However, as one of the standards, it cannot be ignored or deferred indefinitely. I will strive to ensure that direct dialogue is resumed as soon as possible.

Strengthening local government is an important component of the standards and is key for ensuring the peaceful coexistence of all communities. Work in that area has begun. For that work to succeed, the full and constructive engagement of all communities, as well as of the Provisional Institutions of Self-Government, is required. The objective is to put in place effective Government structures at the local level without any partitioning or cantonization of Kosovo, neither of which is practical or sustainable.

We have taken note of the plan proposed by Serbian Prime Minister Kostunica and endorsed by Serbia's National Assembly. We share Belgrade's concerns about the security and economic sustainability of the Serb community in Kosovo.

But the key to effective and enduring reform of local government is that any concept should be developed, discussed and agreed by the parties within Kosovo itself. Our guiding principle is that devolution

of powers to communities and local government reform must be acceptable to all communities. That means that the entire population should enjoy the benefits and share in the responsibilities of local government reform.

We are encouraged by the continuing support and active engagement of the international community in the implementation of the following policies: standards, dialogue and local government reform. In that regard, we welcome the recent engagement of the Contact Group Plus.

Looking to the future, we intend to continue with our task, under Security Council resolution 1244 (1999), to prepare the Provisional Institutions of Self-Government for self-government. This would mean, in addition to building capacities, an eventual transfer of further competences from UNMIK. I have asked all pillars and offices of UNMIK to involve the Provisional Institutions of Self-Government as much as possible in their work, including in the reserved areas. Those measures are the right way forward if we are to create truly responsible and effective government in Kosovo. The status quo does not provide for such change. But, of course, our efforts to build and increase engagement with the Provisional Institutions of Self-Government will depend to a great extent on how seriously those Institutions are committed to taking the responsibility we offer them. They must, above all, show real progress on standards implementation, reconciliation and reform of local government.

As for UNMIK, it is right, too, that we should consider whether its structures and organization are the most effective for today's and tomorrow's circumstances. UNMIK has always been a changing mission, as the needs and challenges in Kosovo have altered. For example, at the municipal level, our role is already shifting from administration to monitoring and advice. This is a natural consequence of our work to prepare and build Kosovo's own institutions. At my instruction, we have begun to consider our future configuration, including the possible reorganization of our structure. I would like to take this opportunity to encourage the Council to consider this question, too; we would welcome its views. Meanwhile, UNMIK will forcefully continue its mission, as defined by Security Council resolution 1244 (1999) and the Council's instructions.

Privatization has been for some time a crucial issue in Kosovo's economic life. It is no secret that this process has been fraught with difficulties, both legally and politically. I am glad to report to the Council today that there has recently been progress in this area, with agreement on operating procedures between UNMIK and the Provisional Institutions of Self-Government.

Before concluding, I want to say an important word about Kosovo's political future. The Security Council has endorsed the mechanism for a review of Kosovo's readiness for consideration of its future status. It is not for me to say what that decision should be, though I will certainly give the Council my view when the time comes. The decision will be for this Council to make. But with mid-2005 just over a year away, thought should be given now on how to handle the difficult choices that lie ahead.

There is much work ahead for us in UNMIK and for the people and the Government of Kosovo. The continued support of the Security Council and of the international community is for all of us both essential and welcome.

**The President:** I thank Mr. Holkeri for his briefing to the Council.

I now call on the Minister for Foreign Affairs of Serbia and Montenegro, Mr. Vuk Draskovic.

**Mr. Draskovic** (Serbia and Montenegro): Allow me at the outset to express my appreciation to you, Mr. President, and to the members of the Council for giving me the opportunity to address the Council on this very important issue concerning my country and the province of Kosovo and Metohija.

I would also like to thank the Secretary-General for his in-depth report on the United Nations Interim Administration Mission in Kosovo (UNMIK). Although the facts presented in the report are far from encouraging, my delegation welcomes its objectivity and constructive conclusions. Let me also thank Special Representative Harri Holkeri for his comprehensive briefing.

I have come here to call on the Council to ensure greater and more resolute respect for the United Nations Charter and strict compliance with Security Council resolution 1244 (1999) on Kosovo and Metohija and its implementation.

Kosovo and Metohija is an open wound for Serbs and Albanians as well as for the entire international community. In the wake of mass violence against Serbs and the barbaric destruction of their centuries-old churches and cultural sites, on 17 and 18 March of this year, the Council adopted a presidential statement that did not adequately respond to the tragedy suffered by the Serbian people in that province.

From 10 June 1999, when the United Nations and international civilian and military forces took over the control and administration of Kosovo and Metohija, until 17 March this year more than 200,000 Serbs were expelled, while 40,000 Serbian houses were burned down or destroyed, along with 115 churches and monasteries and hundreds of Christian cemeteries. During that period, approximately 2,500 Serbs, including dozens of children, were murdered or kidnapped.

International administrators and the Provisional Institutions in the province did not react resolutely enough. And so, on 17 March, tens of thousands of ethnic Albanians, driven by local media and radicals, started killing Serbs and destroying monuments of the centuries-old Serbian and Christian tradition in the province.

It is undeniable that the regime of Slobodan Milosevic was responsible for many crimes against Kosovo Albanians, tens of thousands of whom were expelled during the NATO bombing campaign. But that same regime was equally brutal and brought harm to Serbs as well, who in the majority resisted and opposed that regime. Hundreds of thousands of Serbs fought for more than ten years against the Milosevic dictatorship, terror, wars and atrocities. I am saying this to remind the Council, with pride, of the democratic values displayed by Serbs during those years of isolation.

The Head of UNMIK and Special Representative of the Secretary-General, Mr. Harri Holkeri, recently promulgated the "Standards for Kosovo" document as the only way to build a democratic, multi-ethnic and multicultural Kosovo and Metohija.

The cornerstone of those standards must be to eliminate the consequences of the ethnic cleansing of Serbs and to provide for their full security, their right to life and other human, civil and ethnic rights. In other words, it is urgent to rebuild the approximately 40,000 destroyed and burned Serbian houses and to begin immediately the reconstruction and restoration of churches, monasteries and other sites of cultural heritage, under the full supervision of the United Nations Educational, Scientific and Cultural Organization (UNESCO). All those efforts should be internationally funded, since the international community has been responsible for Kosovo and Metohija since 10 June 1999.

At the same time, the perpetrators of all murders, kidnappings and acts of vandalism against those religious and cultural sites should be tracked down, apprehended and brought to justice. In particular, the international military and police forces should be duty-bound to vigilantly guard the churches and monasteries, which belong to the cultural heritage of the entire world. In short, I call on the international community to assist and help the Serbs and other non-Albanians in the same way the ethnic Albanian population was assisted after 10 June 1999.

The Government of Serbia and the Council of Ministers of Serbia and Montenegro are in favour of the decentralization of power in Kosovo and Metohija through the establishment of the highest level of local self-rule in Serb-populated municipalities, towns, villages and the so-called Serbian enclaves. The Government of Serbia, in its plan approved by the parliament, referred to those units of local self-government as regions. We could even accept some other term, because what is important is the substance. That kind of autonomy paves the way for a multi-ethnic and multicultural Kosovo and Metohija, leading to reconciliation between Serbs and Albanians and to their common European future.

Today, we should not think in terms of final status, since all of the rights of Serbs are being tragically violated in Kosovo and Metohija, and that ghetto of human suffering cannot constitute the basis for any final status of Kosovo and Metohija. The Government of Serbia and the State Union of Serbia and Montenegro are in favour of equal rights for all their citizens, full respect for the United Nations Charter and the implementation of all European standards in Kosovo and Metohija.

We call for the start of a sincere dialogue at all levels between ethnic Albanians and Serbs — either a direct dialogue or through the good offices of the international community. No agreement can be reached without negotiations. Nor can hostilities be brought to

an end by continuing hostilities. The only way forward is through dialogue and reconciliation.

I thank you, Mr. President, and I thank the Secretary-General and Council members for their kind attention and sincere concern for the peoples of my country.

**Sir Emyr Jones Parry** (United Kingdom): Like other colleagues, I am sure I am very grateful to the Special Representative of the Secretary-General and to Minister Draskovic for their contributions. I would like to associate myself with the remarks shortly to be made by Ambassador Ryan on behalf of the European Union.

We have just witnessed the most serious outbreak of inter-ethnic violence in Kosovo since 1999. There is no question that it has severely damaged Kosovo's reputation and has shown that there is a long way yet to go to build the necessary tolerance in Kosovo. All parties need to understand clearly that we cannot turn the clock back to the worst aspects of inter-ethnic conflict.

It should make the international community more determined that the standards review policy endorsed by the Council in December should be fully implemented. So we very much welcome the publication of the plan to do just that — the plan issued on 31 March — because the implementation of the standards remains the best basis on which to build an inclusive, multi-ethnic, democratic Kosovo where all its citizens can live in peace and in security. That has to be the continuing goal.

We therefore welcome the efforts made by Member States in the arrangement now being put in place on the ground in Pristina through an intensified dialogue to give impetus to that process. But our accepted policy is "standards before status". Both those issues are sensitive, and they are linked. The standards are basic. But on the other hand, the Kosovars will all need greater clarity or, at least, reassurance as to their eventual destination.

It seems to me that there are two bottom lines in this. The first is that achieving standards will facilitate the final status negotiations; on the other hand, not achieving the standards will jeopardize the future we all want to see for Kosovo and its peoples.

I should like to pick out, if I may, three challenges which face the Kosovo Albanians and the Serbs today. The first and immediate one is to build tolerance and to reassure the Kosovo Serbs on the ground. The Provisional Institutions of Self-Government need to demonstrate a genuine commitment to strengthening the rights and the protections of Kosovo's minorities. The open letter of 2 April from Kosovo leaders, calling for all citizens to build that tolerant democracy, is a positive step forward and it needs to be built on, and so Belgrade and Kosovo Serbs also have an important part to play in the process and need to make a constructive contribution and to get engaged. The United Kingdom looks for a constructive Pristina-Belgrade dialogue. I would say that unilateral statements on status by any side are not just unacceptable, but have always proved to be destabilizing.

Secondly, Kosovo needs a more responsive and effective Government. It was clear before 17 March that local leaders needed to take more responsibility at the central and the local level. We very much support Special Representative Holkeri and his plans for the Provisional Institutions of Self-Government to take on further responsibilities in areas such as the economy, with the important caveat that they can take on only those responsibilities which are not formally reserved in the Constitutional Framework for elsewhere and cannot be transferred.

Thirdly, the intention to devolve more responsibility to local Government is very welcome, but I think we should be clear that the aim of delegating responsibility is to achieve greater efficiency and to have more responsive Government. It does, however, entail a responsibility by all those who gain greater authority from that devolution. The United Kingdom very much agrees with the way Special Representative Holkeri put it. The aim is greater efficiency; it is not partition or cantonization. So we look forward to recommendations on that. Not only are the proposals from Belgrade on decentralization a useful contribution to the debate, but I understand that they have been put forward in a spirit of actually being prepared to work constructively, and that is very welcome.

As far as the international community is concerned, let me simply enumerate two points. The first is that we all have to learn the lessons of 17-20 March. The North Atlantic Treaty Organization has taken fairly prompt action through its lessons-learned paper and there is an intention to restructure the Kosovo Force and to remove national caveats. That is

very welcome, as is the review of the performance of the United Nations Interim Administration Mission in Kosovo (UNMIK) which has been set in train by the Special Representative. Drawing on this, UNMIK needs urgently and very carefully to assess whether it has the right structures and whether the resources we are deploying are appropriate in dealing with Kosovo in 2004 and not in the very different situation of 1999. The aim is to reduce the dependency in Kosovo on the international community, but let us be clear: That will need an integrated response by the international community and a greater coherence in the international effort, with the different organizations pulling together more coherently, more flexibly, more responsibly and, if I may say so, more responsively to the common objectives. The efforts of the Special Representative to address those aspects are crucial, we think, to the way forward.

My last simple point is that we need to inject impetus into Kosovo's economy because, at the heart of this, there are some very severe economic problems. The case for privatization and moving forward quickly on that — I hope, with the cooperation of Belgrade to permit lots of necessary steps to be taken — is in the right direction.

**Mr. Sardenberg** (Brazil): I would like to welcome the presence of the Foreign Minister of Serbia and Montenegro, Mr. Vuk Draskovic, at this meeting of the Security Council. My delegation would also like to express appreciation to Special Representative Holkeri for introducing the report of the Secretary-General and for the work he has been carrying out as head of the United Nations Interim Administration Mission in Kosovo (UNMIK).

In spite of what this Organization has been doing to protect the population and help the cause of a stable Kosovo, the situation in the province has deteriorated. The ideal of a multi-ethnic, tolerant and democratic society is once again threatened. The international community, including Brazil, has already voiced its vehement condemnation of the episodes of ethnic violence witnessed in Kosovo in March. All those responsible must be brought to justice, with the full cooperation of the Provisional Institutions. Effective public security measures, such as the apprehension of illegal weapons, must also be taken.

Intents to force a premature solution to the status question through violence and intimidation must be promptly thwarted. Brazil continues to lend its full support to the process of peace and reconciliation, as foreseen by resolution 1244 (1999) and the standards before status policy for Kosovo.

Last month, we welcomed the launching of the Standards Implementation Plan and its set of guidelines and goals in the effort to bring peace and stability. Immediate and steady progress is needed to speed up a long-term political solution that will reflect the needs of all populations of the province. We concur with the Secretary-General in that

> "the implementation plan will need to be recalibrated and prioritized by giving additional emphasis to security and matters relating to the rule of law, minority rights and protection, return, and the devolution of functions from the central level to local bodies, as well as economic development". (*S/2004/348, para. 60*)

There is no doubt that episodes of ethnic violence should also raise an alarm for the international community. While our attention is devoted to new conflicts, some of the old ones have recurred. We wonder how such an "organized, widespread, and targeted campaign", whereby

> "properties were demolished, public facilities such as schools and health clinics were destroyed, communities were surrounded and threatened and residents were forced to leave their homes", (*ibid., para. 2*)

— a campaign in which 730 houses and 36 religious sites were damaged or destroyed — could have escalated to such proportions.

The report before the Council mentions the number of injured officers of UNMIK, the Kosovo Police Service and the Kosovo Force and the number of arrests undertaken in connection with the violence. This morning, Special Representative Holkeri elaborated on the response of UNMIK and local police forces to all those criminal events. My delegation welcomes the establishment of a crisis management review body by Special Representative Holkeri to assess the Mission's response to the crisis and would like to suggest that their conclusions be brought to the attention of the Council at an appropriate time.

Reconciliation became more elusive after March, but we believe that an unwavering commitment by all parties is the key to advancing the process of standards

and to moving on to the next steps of the peace process. This commitment is particularly important on the part of the Provisional Institutions and the political leaders in Kosovo, but is also needed from Governments in the region. We congratulate the new Government of Serbia and Montenegro and hope that it will engage in a fruitful dialogue with the leadership in Kosovo and with UNMIK. We expect the coming months to bring the intensification of the talks between Pristina and Belgrade.

**Mr. Baja** (Philippines): We too wish to thank His Excellency the Foreign Minister of Serbia and Montenegro, who has joined us this morning for a discussion on the situation in Kosovo. We also thank the Special Representative of the Secretary-General for Kosovo, Mr. Harri Holkeri, for introducing the recent report of the Secretary-General (S/2004/348) and for briefing us on the latest situation in the province.

In considering the situation in Kosovo today, it may be relevant to recall the history and context of United Nations involvement there. Five years ago the international community intervened in Kosovo to put an end to the slaughter that was being perpetrated against its ethnic Albanian population.

It should be noted that the Security Council initially ceded to NATO and the Group of Eight initial responsibility for Kosovo. By virtue of Security Council resolution 1244 (1999), the international community, through the United Nations Interim Administration Mission in Kosovo (UNMIK), assumed the responsibility of healing Kosovo of the wounds of inter-ethnic strife and rebuilding it into a tolerant, multi-ethnic and democratic society. Since that time, Kosovo has been a de facto United Nations-NATO protectorate.

During the last five years, UNMIK and its partners — the European Union, the Organization for Security and Cooperation in Europe (OSCE) and the Kosovo Force (KFOR) — have accomplished much in putting Kosovo back on the road to peace and stability. Provisional Institutions have been established and competencies have been transferred. Inter-ethnic tensions appeared to have subsided and the start of discussions on Kosovo's final status seemed possible in the foreseeable future. Also, the parties on the ground did not challenge, but rather accepted, United Nations authority.

Our hopes for Kosovo's future were dashed two months ago, when a wave of inter-ethnic violence again plunged Kosovo into another abyss of death and destruction. Ambassador Holkeri this morning presented us with a graphic tale of the violence and its consequences. This time, it was the ethnic Serb population at the receiving end.

What happened in Kosovo two months ago has made the task ahead more difficult for the international community, but it should not prevent the rebuilding process from moving forward. In that connection, the Philippine delegation welcomes the actions taken by UNMIK and KFOR to reassert control and restore the rule of law in the province immediately after the outbreak of violence. We welcome the arrest of those involved in the riots and the fact that the judicial process towards their prosecution has begun. We also welcome Mr. Holkeri's statement that UNMIK is reviewing operational procedures and coordination in responding to crises there.

The privatization process should also be pursued, and we are glad to hear from Mr. Holkeri of the progress in that area, with agreement on operating procedures between UNMIK and the authorities. We also continue to advocate the resumption of constructive dialogue between Belgrade and Pristina.

Even as we reiterate our commitment to the international community's efforts in Kosovo, we also call upon UNMIK to exercise greater flexibility in exploring all avenues that would lead us to our common vision for Kosovo.

In an earlier briefing to the Council, Mr. Holkeri spoke of his plan — or vision — to develop his own political constituency among the people themselves, beyond authorities and institutions, to support his political and economic programme for Kosovo. I wonder if Mr. Holkeri has an update on that effort, especially concerning the Kosovo Standards Implementation Plan.

In that connection, we welcome the views presented to the Security Council this morning by His Excellency the Foreign Minister for Serbia and Montenegro, which may be worth looking into and which could be considered along with other proposals aimed at putting the Kosovo process back on the right track.

**Mr. Baali** (Algeria) (*spoke in French*): I would like to thank Mr. Holkeri for his excellent introduction of the report of the Secretary-General (S/2004/348) and for his briefing on the situation in Kosovo. I also welcome the Minister for Foreign Affairs of Serbia and Montenegro and thank him for addressing the Council.

The clashes and acts of violence which took place in March, with their toll of dead and wounded and the destruction of religious and cultural sites have undoubtedly revealed the precariousness of the situation in Kosovo and the climate of mistrust and suspicion which still reigns within Kosovar society. Those acts of violence, which we have unanimously condemned, have derailed the peace process in Kosovo and have seriously hampered efforts by the international community to build a democratic, tolerant and multi-ethnic Kosovo. In particular, those events have struck a heavy blow to the return of refugees and displaced persons and to the freedom of movement, two key elements of the "standards before status" policy.

On this occasion, we wish to pay tribute to all Kosovars and to the international presence in Kosovo for measures taken to put an end to the unfortunate clashes, and to assure security for all communities. It is reassuring to note that the security situation is gradually improving, but more must be done in order to keep such acts from happening again.

The open letter addressed on 2 April 2004 by a great number of Kosovo leaders to the people of Kosovo, in which they committed themselves to restoring multi-ethnicity and to promoting reconciliation, is a praiseworthy initiative aimed at restoring trust within the Kosovar communities. Similarly, the commitment of the Kosovo Government to finance reconstruction of damaged or destroyed sites and to try those responsible for violence is a strong signal that could boost national reconciliation efforts.

But the United Nations Interim Administration Mission in Kosovo (UNMIK) has a responsibility to bear. We can only welcome its determination to ensure that those who are responsible for violence will be punished. Additional efforts are required in that area. Understanding and coexistence among all Kosovars must, henceforth, be a priority objective in order to strengthen tolerance and mutual trust, and to rise above past resentments.

In order to achieve those objectives, we must remain committed to the principle of establishing a multi-ethnic Kosovo and we must forcefully underscore the need to fully implement Security Council resolution 1244 (1999) and the "standards before status" policy. The successful implementation of the "standards before status" policy will make it possible to consider the fundamental question, which is the final status of Kosovo.

In that regard, the 31 March 2004 launch of the Kosovo Standards Implementation Plan was a major milestone and a valuable starting point for assessing the progress achieved in attaining the eight standards set for mid-2005. As does Mr. Holkeri, we hope that the Serb community will ultimately join the standards process.

The opening on 23 April 2004 of the Liaison Office for Coordination of International Cooperation and Regional Dialogue in the office of the Kosovo Prime Minister, aimed at strengthening cooperation between UNMIK and the Government, is another noteworthy development that should be welcomed.

Despite such considerable achievements, inter-ethnic clashes have shown that much remains to be done. An economically prosperous, democratic, tolerant and multi-ethnic Kosovo is still a difficult objective to attain. Therefore, it is essential for direct dialogue between Belgrade and Pristina to resume as soon as possible, and for contacts among all elements of Kosovo to be furthered.

A multi-ethnic Kosovo requires a unifying and responsible dialogue, along with sincere collective efforts in the interest of Kosovo, which will help bring all Kosovars together, put an end to acts of intimidation and violence, improve the security situation, meet standards for the sustainable return of refugees and displaced persons to their places of origin, and ensure respect for the rights of minorities.

Active participation by all communities in the Provisional Institutions and resolution of the problem of parallel structures in Kosovo are essential elements in our common efforts. My delegation supports the appeal of the Secretary-General to all communities to join efforts in applying the standards. The implementation of standards undoubtedly will be further facilitated by an improved economic and social situation. To achieve its objective in Kosovo, the international community must not abandon the

Kosovars. Consistent political and financial support on the part of the international community is more than ever necessary.

**Mr. De La Sablière** (France) *(spoke in French):* I would like to thank Mr. Holkeri for his briefing, which comes after the excellent report of the Secretary-General of 30 April (S/2004/348). I welcome among us the Minister for Foreign Affairs of Serbia and Montenegro, Mr. Vuk Drascovic. We have listened to him attentively.

I wish to state in advance that I associate myself with the statement to be made shortly by the Ambassador of Ireland on behalf of the member States of the European Union, so I shall confine myself to a few remarks. By way of introduction, I would like to say a few words about the violence last March and its consequences.

As the Secretary-General has pointed out, the Albanian Kosovo officials, as representatives of the largest community in Kosovo, have a clear obligation to protect and promote the rights of all communities. The feeble commitment of the Kosovar leaders to preventing, and their belated condemnation of, the ethnic violence give rise to questions, even if we note that they disseminated a more encouraging letter on 2 April. Clearly, the burden of proof rests on them.

The violence has only strengthened our resolve to see the standards rapidly implemented so that the question of status might be settled. We will pay special attention to progress achieved in multi-ethnicity and reconciliation, the return of displaced persons, dialogue with Belgrade, a code of ethics for the media, and decentralization. In fact, that is what was just affirmed by the Security Council in its statement of 30 April (S/PRST/2004/13). I note, however, that the quarterly evaluation of the progress in the latest report of the Secretary-General confirms setbacks on all the standards.

I now wish to emphasize two specific topics: the role of the media, and decentralization.

The report of the new Representative of the Organization for Security and Cooperation in Europe (OSCE) for Freedom of the Media confirms that the media in Kosovo played a very negative role in the violence in March. Mr. Haraszti has especially highlighted the lack of professionalism, the biased nature of reporting and the lack of pluralism in the media. With the OSCE, the international community must create the conditions so that the Kosovo media might respect basic ethical rules. It seems that for its part, the United Nations Interim Administration Mission in Kosovo (UNMIK) should without further delay take steps against those press organs that have incited hatred and inter-ethnic violence.

The Special Representative quite rightly pointed out that decentralization is a priority for action by the international community. Decentralization could allow for peaceful coexistence among the various communities in Kosovo. There exist several models, including those drawn from the Ohrid agreements. We note that Belgrade has just made proposals, and we welcome its willingness to dialogue on this crucial issue.

In conclusion, I wish to say a word about method and emphasize transparency and cooperation. We are all aware that we must make progress on several fronts in order to go forward in the settlement of the question of Kosovo and the protection of all communities. Consideration of that is under way in the United Nations, including UNMIK, as well as in the capitals of the countries most concerned. All of this thinking is welcome. In due course we will have to compare all those proposals. At any rate, we will have to work with full transparency and full cooperation so that the members of the Security Council might be able to take the necessary decisions with full knowledge of the facts.

**Mr. Lucas** (Angola): We welcome the Minister for Foreign Affairs of Serbia and Montenegro, Mr. Vuk Drascovic, and his participation in the current meeting of the Security Council. We thank Mr. Harri Holkeri for his briefing introducing the report of the Secretary-General (S/2004/348), and we commend the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Special Representative of the Secretary-General in Kosovo for their efforts to establish lasting peace in Kosovo based on the principles set by resolution 1244 (1999).

Today's meeting takes place amid renewed concerns over the future of Kosovo and a feeling of dismay at the serious setback to the normalization and stabilization of Kosovo. It will take time and painstaking efforts to repair the damage. The ethnically motivated violence against minority groups of Kosovo

must be condemned and measures must be taken so that it does not occur again.

The deterioration of the security environment and the overall political situation after the incidents in March has prompted the Security Council to take a very clear stand, particularly through the presidential statement of 30 April (S/PRST/2004/13), stressing the need to review and revise, in a timely manner, key sections of the Kosovo Standards Implementation Plan on returns and the rights of communities and on freedom of movement. We extend our full support to UNMIK for introducing tough actions to implement those standards.

Actually, we believe that in the end the standards for Kosovo policy will make sense only when the rights of all communities are fully protected and respected and Kosovo becomes a democratic, multi-ethnic society. Anything short of that will mean failure for the great efforts and investments made by the international community for Kosovo. To reach that goal, we deem it essential that the rule of law be established and guaranteed, as well as effective operation of the police and the judicial and penal systems. We hope that UNMIK's measures to enhance the security situation will produce tangible results in guaranteeing full respect for the rule of law and for human and minority rights, including respect for religious, historical and cultural sites.

We further hope that those measures will promote full participation by the Serb minority at all levels of government. We took note of the proposals by the Government of Serbia and Montenegro on decentralization. It is our view that Serb participation in the provincial institutions is the best means to guarantee security and economic sustainability of the Serb community in Kosovo.

We wish to underline the crucial role and responsibilities of the Kosovo leadership in promoting a climate of tolerance among the communities and the responsibilities of the Provisional Institutions of Self-Government to take a stand and live up to their commitments to ensure that threats and acts of violence are not repeated.

My delegation underlines the need for constructive dialogue between Belgrade and Pristina to achieve meaningful progress on issues of common interest and, above all, to ensure that each inhabitant of Kosovo may live in his country in dignity, liberty and security.

To conclude, we reiterate our full support for the Special Representative, for UNMIK and for KFOR in their efforts to achieve reconciliation, reconstruction and restoration of the political process in order to fully implement Security Council resolution 1244 (1999) and the standards for Kosovo policy.

**Mr. Cunningham** (United States of America): I want to join others in thanking Special Representative Holkeri for joining us today and for providing us with an excellent briefing. I wish also to welcome Foreign Minister Draskovic and to thank him for his presentation this morning.

It was almost two months ago that a deplorable and unjustifiable outbreak of violence shook Kosovo. That violence was a setback to Kosovo's own aspiration to develop into a society that can become part of Europe. It must not be repeated. Violence will damage the prospects of all of Kosovo's citizens: the history of the Balkans gives ample evidence of the devastation brought by ethnic hatred and violence. Down that path lies destruction.

The international community, through the review date process, has laid out a brighter path for Kosovo. Kosovo faces a key decision point now: to choose whether it will seize that path and make it its own. Foreign Minister Draskovic told us this morning that the only way forward is through dialogue and reconciliation; that suggests strongly that all parties must participate. We remain determined to see Kosovo attain, as rapidly as possible, the United Nations standards for Kosovo through the mechanism of the Kosovo Standards Implementation Plan; both the standards and the Implementation Plan have been welcomed by the Security Council. Implementation of the Plan will benefit all Kosovars.

The leaders of Kosovo can best respond to the tragic events of March by bringing a new commitment and energy to implementing the United Nations standards. That will require a close and growing partnership between the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Provisional Institutions, and full consultations with — and the support of — Kosovar Serbs and other minorities.

Security for all residents of Kosovo must be assured. We in the international community will do our part, as shown by NATO's rapid reinforcement of the Kosovo Force (KFOR), and by the commitment to keep sufficient international civilian police on duty. But Kosovars themselves must be more involved in, and must be held accountable for, their own security. We must also address other problems such as an unacceptably high rate of unemployment. We want to see privatization revitalized so that State and socially owned enterprises can be transformed, providing jobs and growth. And we want to see continued and renewed efforts to combat the corruption that has sapped international and local confidence and driven off needed investment.

As part of the Contact Group, we support the Group's new schedule of meetings, every six weeks in Pristina. Those meetings are designed to help Kosovo meet the standards by focusing attention on key problems, assessing progress made and identifying further necessary steps. We are establishing a security advisory group in Pristina, where Kosovo Albanians and Kosovo Serbs can discuss critical security concerns. Another such group has been established in Belgrade to give Serbia a voice in security issues.

We commend to the attention of all parties concerned the statement made on behalf of the Security Council by its President on 30 April (S/PRST/2004/13). We look forward to hearing at an early date from the Secretary-General about his recommendations on possible new institutional arrangements to allow effective local government through the devolution of central responsibilities to local authorities and communities in Kosovo.

I wish in closing to recognize the tragedy of those in Kosovo who lost their lives or who were injured during the March violence, and to urge the Provisional Institutions to quickly rebuild the homes and churches destroyed, as promised, as soon as possible. I would also like to recognize the service and sacrifice of all those internationals serving with UNMIK and its international civilian police, and with KFOR. In particular, I wish to recall and commend the United States police officers who lost their lives in the line of duty at Mitrovica as a result of the incident there on 17 April, and to extend our hopes and prayers for the full recovery of those who were injured.

**Mr. Muñoz** (Chile) (*spoke in Spanish*): I too wish to thank the Special Representative of the Secretary-General, Mr. Harri Holkeri, for his introduction of the report of the Secretary-General (S/2004/348). We wish also to welcome the Minister for Foreign Affairs of Serbia and Montenegro, Mr. Vuk Draskovic.

The report introduced this morning helps us understand the dimensions of the setback experienced in the process of establishing a multi-ethnic, stable and democratic Kosovo. There is no doubt that recent appalling and unfortunate events — loss of life, hundreds of injuries and considerable material damage — have had a negative effect on the pace and the course of the process of reconstruction and normalization in Kosovo. One example of the devastation is that, as noted in paragraph 22 of the report, in less than 48 hours, 4,100 minority community members were newly displaced, more than the total of 3,664 that had returned throughout 2003.

We are aware that as a result of the events of March redoubled efforts will be required in such areas as minority rights, human rights, equal security, freedom of movement, and a return to sustainable conditions for all inhabitants of Kosovo.

The Provisional Institutions of Self-Government and local political leaders have major challenges ahead of them. First and foremost, they must put an end to calls to violence, irrespective of their source. They must adopt measures to establish and ensure respect for the rule of law, including by ensuring that the perpetrators of violence are brought to justice and that illegal weapons are seized. Thirdly, they must begin to rebuild damaged or destroyed sites or to provide appropriate compensation; they must rebuild holy sites and must facilitate the return of persons who have been displaced. Fourthly, they must ensure that no sector gains politically from the March violence. Finally, it is our view that they must fully comply with the commitment set out in the 2 April 2004 open letter signed by political leaders and officials from the Institutions: to restore multi-ethnicity and reconciliation throughout Kosovo.

These challenges underscore the validity of the "standards before status" policy. The Kosovo Standards Implementation Plan launched on 31 March was noted by the Security Council in its 30 April presidential statement (S/PRST/2004/13). It is urgent that we take the opportunity to review two of the key elements of

the plan in the light of the inter-ethnic violence in March: sustainable returns and the rights of communities and their members; and freedom of movement.

Cooperation between the Provisional Institutions of Self-Government and UNMIK will be essential for the success of the Kosovo Standards Implementation Plan. Support from Belgrade is also critical. We reaffirm that without significant, sustainable returns of displaced persons and refugees, without sufficient freedom of movement and without the dismantlement of parallel structures it will be impossible to establish a multi-ethnic, democratic society able to integrate all inhabitants of Kosovo. Constructive dialogue between Belgrade and Pristina and between UNMIK and the Kosovo Assembly is a key element for the success of that undertaking.

We must spare no effort to avoid a repetition of abhorrent acts like those we witnessed in March.

**Mr. Adechi** (Benin) (*spoke in French*): I wish to thank the Special Representative of the Secretary-General for the information he has just shared with the Council on the situation in Kosovo since the unfortunate events of March. I also wish to welcome to the Council the Minister for Foreign Affairs of Serbia and Montenegro.

The briefing has demonstrated once again the exceptional seriousness of the violence that occurred from 17 to 21 March 2004, particularly since we now know that those acts of violence were part of an organized, widespread and targeted campaign. Given the difficulty for the ethnic communities of Kosovo to coexist, all the communities in Kosovo must be protected. We must also consider Kosovo's effective commitment to the normalization process under way and the prospects for the "standards before status" policy, which the United Nations Interim Administration Mission in Kosovo (UNMIK) is striving to implement.

Nevertheless, we believe that we should stay the course and continue the efforts undertaken to help the Kosovars resume internal inter-ethnic dialogue and dialogue with Belgrade. We should avoid solutions that might enhance inter-ethnic division, as well as ones that might lean towards abandoning the initial objective of a multi-ethnic, democratic and prosperous Kosovo.

However irreconcilable the positions of the Albanians and Serbs of Kosovo might seem, UNMIK must continue to pay special, and even central, attention to the claims of the two parties and to work toward national reconciliation. In that regard, my delegation appreciates the efforts made to adjust the implementation of the "standards before status" policy. Those efforts should be continued in order to fully take into account the new situation created by the events of March 2004.

To do that, UNMIK should rely on initiatives such as the memorandum of agreement whereby the Albanians and the Serbs in Kosovo would establish a partnership based on mutual respect and the marginalization of extremists of all stripes, or on the initiative of the open letter sent to the population of Kosovo by some of its leaders. Those two actions, which do credit to their authors, represent an encouraging sign.

We also welcome the urgent steps taken, including, inter alia, the creation of an emergency fund that will allow for the start of reconstruction of damaged sites and buildings, compensation of victims for the loss of their property and personal effects and facilitation of the return of refugees. Special attention should be given to the fight against impunity.

In that regard, the international community should mobilize additional resources in order to effectively meet this requirement. That would help strengthen the deterrence of serious violations of human rights and acts aimed at erasing the history and the memory of minority ethnic groups of Kosovo.

We cannot emphasize enough the need for internal inter-ethnic dialogue and reconciliation. Progress made to promote reconciliation and tolerance, internally in Kosovo as well as with Pristina, is and will remain the measure of success of the reconstruction of Kosovo. Decentralization should also allow for coexistence among all components of Kosovar society.

In conclusion, my delegation would like to commend and encourage UNMIK, the European Union, NATO and all those who helped contain the violence of last March, particularly the Secretary-General for his personal dedication to the cause of peace in Kosovo.

**Mr. Zhang** Yishan (China) (*spoke in Chinese*): First, I wish to thank the Secretary-General for his report on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2004/348). I also thank Mr. Holkeri for his additional briefing, and welcome Minister for Foreign Affairs of Serbia and Montenegro to today's meeting and thank him for his statement.

The Security Council has repeatedly considered the Kosovo question recently, which has reflected international community's concern about the Kosovo question and the importance it attaches to it. Indeed, as the Secretary-General points out in his report, the serious violence of March in Kosovo has had a disturbingly negative impact on local political, economic and social development.

The Security Council's presidential statement of 30 April (S/PRST/2004/13) set out a series of measures to be taken to emerge from the present difficult situation. The Secretary-General also expressed some important recommendations in that regard in his report. We believe that the present task is to implement those measures and recommendations as soon as possible. Only by doing that can the Kosovo peace process be maintained and advanced. The international community's efforts throughout the years will not have been in vain.

The investigations of the March incidents should be accelerated and those responsible should be brought to justice. That will help ensure that that type of violence will not be repeated. Secondly, the facilities and the property destroyed during the violent clashes should be rebuilt and compensation paid, and the security needs of the minorities must be met. At the same time, specific steps should be taken to gradually resume mutual trust and enhance reconciliation among all communities in Kosovo. Thirdly, the relevant parties, particularly the Provisional Institutions of Self-Government, should make greater efforts to enhance the rule of law, protect minority rights and decentralize functions from the central level to local bodies.

Here I wish to reiterate that resolution 1244 (1999) and the "standards before status" policy remain the basis for resolving the Kosovo question. We encourage Belgrade and Pristina to resume direct dialogue as soon as possible. We hope UNMIK will continue to play a constructive role in ensuring Kosovo's stability, promoting harmonious coexistence among all communities and facilitating the implementation of the Kosovo standards document.

**Mr. Arias** (Spain) (*spoke in Spanish*): I wish to thank Mr. Holkeri for his excellent briefing. I also wish to welcome the Minister for Foreign Affairs of Serbia and Montenegro, Mr. Draskovic.

My country fully endorses the statement that will be made by the Permanent Representative of Ireland on behalf of the European Union.

The detailed report of the Secretary-General on Kosovo (S/2004/348) has only confirmed what had already come to light in the most recent Council meeting on Kosovo. The unbridled inter-ethnic violence of the events in March has caused a serious setback to the process of normalization and compliance with standards for the province. We reiterate our vigorous condemnation of those events, and we appeal that those responsible for them be brought to justice.

However, this is not the time to make statements of disapproval, but rather to determine precisely what happened, make a serious political assessment of the events and calculate their impact, not only so that such unfortunate events will not be repeated, but also so that the international community can take the appropriate measures so that the provisions of resolution 1244 (1999) can be fully complied with.

Let us begin with the facts. Three conclusions can be drawn from Mr. Holkeri's briefing and from the report of the Secretary-General. First, the inter-ethnic violence of March was not an isolated event, but rather an organized campaign, spread throughout the territory with specific objectives against three of the province's ethnic minorities, but with particular malice against the Serb minority. Secondly, that violence was not directed only against individuals and the heritage of those minorities — including sites of particular cultural and religious significance — but also against UNMIK and the forces that the international community has charged with maintaining order. Thirdly, the initial response of the Provisional Institutions of Self-Government was ambivalent; they were reluctant to clearly condemn the violence, particularly the violence unfortunately directed against the Serb community. Worse yet, in some cases they attempted to use the violence for their own political objectives, calling for independence and the transfer of UNMIK's competencies. Only after UNMIK and the international community had put

pressure on the authorities did they show a change of attitude.

A second aspect is the consequences. The Secretary-General's report indicates that the inter-ethnic violence has affected the entire normalization process. Thus, not only has it compelled UNMIK to modify the Implementation Plan, but it has set back the situation of minorities and hampered the return of refugees, seriously affecting freedom of movement, freezing direct dialogue between Pristina and Belgrade and seriously damaging the functioning of democratic institutions. Those are all crucial aspects of resolution 1244 (1999) and of the "Standards for Kosovo" document. Moreover, the attitude of the municipalities and of the media — key institutions in the normalization process — has revealed how far they are from complying with the standards. Only the Kosovo Protection Corps has demonstrated — with certain exceptions — some degree of professionalism during the crisis. On the whole, the objective of establishing the rule of law has been seriously damaged by the violence, which has even affected economic development, weakening the confidence and interest of investors.

Finally, we must consider measures to prevent such unfortunate events from happening again and derailing the situation. It is worthwhile to highlight the work of UNMIK, headed by Mr. Holkeri, and that of KFOR during the outbreak of the crisis and in the days following. They have paid a high price, but they probably prevented a true catastrophe. The change of attitude among the provisional authorities — particularly in terms of putting right the damage — is also commendable, but there is still more than a shadow of doubt as to their true commitment to applying the standards for Kosovo.

Spain believes that the "standards before status" policy is more valid now than ever before. The incidents of March are proof that Kosovo is not implementing the standards required of it by the international community. What is more, there has been considerable movement away from the standards. We must send a loud and clear message to the Kosovo authorities, insisting that there will be no discussions on status until the standards are fully implemented, and that episodes of violence will only postpone that date. Any different course could have very serious consequences for Kosovo's future and for the entire region.

**Mr. Konuzin** (Russian Federation) (*spoke in Russian*): We thank the Secretary-General for his report on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2004/348), and we thank the Head of the Mission, Mr. Harri Holkeri, for his comprehensive briefing on the situation in the province. We welcome the participation in today's Security Council meeting of Mr. Vuk Draskovic, Minister for Foreign Affairs of Serbia and Montenegro, and of the Secretary-General.

The appraisals provided in the report and the position of the Special Representative coincide to a great extent with our view of the alarming situation in Kosovo, Serbia and Montenegro. The wide-scale outbreak of ethnic violence in March, provoked by extremists, has seriously damaged the efforts to establish a democratic, multi-ethnic and stable society in the province. That planned and targeted attempt to force members of the non-Albanian communities — primarily Kosovo Serbs — out of the province and to undermine the social foundations of their lives, including by destroying historical and cultural Serbian Orthodox monuments, can be seen as nothing other than a conscious policy of ethnic cleansing of Kosovo's non-Albanian population.

Russia has repeatedly warned of the danger of such developments. Unfortunately, however, the alarming trends that have emerged in recent years have not been met with an adequate response. The Security Council, in its presidential statement of 30 April 2004 (S/PRST/2004/13), sternly condemned the events of March and clearly stated that no party can be allowed to profit or to advance a political agenda through violent measures.

It is important that, in the same presidential statement, the Security Council reaffirmed its full and consistent support for the "standards before status" policy as part of the implementation of resolution 1244 (1999). Only the true attainment in Kosovo of the democratic standards established for it by the international community can serve as a basis for the Council's consideration of the possibility of beginning a discussion of the province's future status.

With regard to the complex and tense situation still prevailing in Kosovo, we believe that a series of steps must urgently be undertaken, aimed at normalizing the situation and at returning the process of reaching a Kosovo settlement to the track of

restoring a multi-ethnic society. In conformity with the demands of the Security Council, we must carefully study the circumstances surrounding the events of 17 to 20 March and punish those responsible, including those who directly or indirectly incited those events, those who engaged in hate propaganda or nationalism and those who promoted the events by doing nothing. We must identify and dissolve the paramilitary groups left over from the organizational structure of the former Kosovo Liberation Army and take stringent measures against organizations and political figures who, during those events, revealed their outright nationalist or extremist nature. We must take urgent steps to effectively restore law and order and to seize illegal weapons. We must intensify our fight against organized crime and all manifestations of extremism.

We support the Secretary-General's demand that the Provisional Institutions of Self-Government immediately put into effect their verbal promise to restore a multi-ethnic society and ensure reconciliation in Kosovo.

It is clear today that the process of normalization has been seriously damaged. This threatens to destabilize the situation in the region and calls into question the timetable for the gradual implementation of the standards set out for Kosovo by the international community.

In that connection, we are convinced that the strategy for attaining democratic standards in the province needs to be modified. It is important, as noted in the April statement of the President of the Security Council, that we review and adapt the plan for the implementation of Kosovo standards. Bearing in mind the ethnic cleansing that took place in March, we need to enhance its key provisions regarding safeguards for equal security for the population, freedom of movement, the return of refugees and displaced persons, and the protection of the rights of minorities and their full integration into Government institutions at all levels.

Serious attention needs to be devoted to the task of decentralizing executive powers in Kosovo, so as to ensure, through the necessary institutional machinery, conditions conducive to the coexistence of all communities in Kosovo in a unified multi-ethnic democratic society. In that connection, we await from the Secretary-General recommendations with regard to a balanced model for the transfer of executive powers at the provincial level to local bodies and communities in Kosovo, bearing in mind the relevant studies carried out and proposals made by interested parties and international organizations.

It would be appropriate to consider also the Serb plan for a political settlement of the current situation in Kosovo. This is important in the context of both establishing constructive cooperation between the United Nations Mission and the Provisional Institutions of Self-Government in Kosovo on the one hand and the Kosovo Serbs and Belgrade on the other, and finding appropriate ways and means to solve the Kosovo problem and maintain the multi-ethnic nature of the province.

Advancing in the "Standards for Kosovo" process without taking into account the events of 17 to 20 March is inadmissible. We continue to believe that, at the current stage, it would be premature to set a deadline for a comprehensive review of the implementation of the plan for Kosovo standards by the middle of 2005. Arguments to the effect that this would provoke additional tension in the province do not convince us — quite the contrary. Such a hasty setting of deadlines would incite extremists and would be taken as an attempt to relieve the Provisional Institutions of Self-Government in Kosovo of their responsibility for developments in the province.

We need to review, also in accordance with Security Council resolution 1244 (1999), the current practice of involving the Provisional Institutions in activities related to the reserved areas. The provincial structures should be deserving of trust and should beforehand show themselves to be effective in administering various aspects of life in Kosovo.

The Russian delegation shares the concern of the Secretary-General at the continuing threat of new outbreaks of violence in Kosovo. We note the decisive action taken by the international presence in Kosovo to restore law and order and to protect minorities in the province as well as their religious, historical and cultural sites. However, we believe that, along with strengthening KFOR, we could also strengthen its anti-terrorist component and give it additional means of combating massive outbreaks of violence. We cannot allow, and we should condemn most sternly, attacks on the United Nations Mission and on KFOR.

We welcome the constructive role that the leadership of Serbia and Montenegro played in March

in the context of their collective efforts to combat extremist violence, and we note the effective measures taken to punish those individuals who took part in, or who did not prevent, the burning of mosques in Belgrade and Nis, and we note also the steps taken to restore them.

We welcome the intention of the Belgrade authorities to undertake active work in Kosovo, including their stated readiness for the earliest possible resumption of dialogue between Belgrade and Pristina.

Russia is prepared to cooperate fully and closely in order to put an end, as soon as possible, to the tragedy in the Balkans and to put the situation back on the track set out in Security Council resolution 1244 (1999), which remains the sole legal basis for a Kosovo settlement. We firmly believe that we must draw the most serious conclusions from what has happened, which will enable the international community, through its joint efforts, to provide a just solution to the problem of Kosovo and to ensure lasting stability and security in the province.

**Mr. Pleuger** (Germany): Like other colleagues, I should first of all like to thank Mr. Holkeri for his very comprehensive briefing on the latest developments in Kosovo. I think that both today's presentation and the Secretary-General's excellent recent report on Kosovo clearly show that Kosovo and the United Nations Interim Administration Mission in Kosovo (UNMIK) require continuous attention and support.

My delegation also welcomes the participation in our discussion of Foreign Minister Draskovic and would like to associate itself with the statement to be made shortly by Ambassador Ryan of Ireland on behalf of the European Union.

We have seen some of the worst ethnic violence in Kosovo since 1999, but we have also seen some positive changes since the Council discussed Kosovo in April. As Mr. Holkeri mentioned, some 270 Kosovars have been arrested for possible involvement in the March violence, and some of those cases should soon be going to trial. Tenders are being prepared for reconstruction contracts to begin repairing the damage to houses. Ministers from the Kosovo Provisional Institutions of Self-Government have visited some Serb communities to personally assess the damage and to show their sympathy for the affected members of those communities. We hope that working groups will meet again soon to map out further progress in implementing the "Standards for Kosovo" document.

All of these are worthy developments, but they fall short of what we had hoped for. We want to see clearer statements and actions by leaders of the Provisional Institutions of Self-Government that will demonstrate to extremists that they have no place in Kosovo in future.

Political leaders should encourage their constituents actively to assist police in investigating the March uprisings and to testify against the extremists who led the violence. Political parties and Government structures should do all they can to dismiss those who actively or passively supported the violence which did so much harm to the aspirations of all Kosovars.

Political leaders in Kosovo must break new ground. Beyond the obligation to marginalize extremists, to follow through on commitments to rebuild communities destroyed by the March violence and to renew the dialogue of working groups with Belgrade, political leaders in Kosovo must find new ways to reconcile the ethnic communities. They should do far more to encourage minority returns and ensure a safe environment for members of minority groups who do go back to their homes in Kosovo. This is a problem of society-building for which neither UNMIK nor the international community is responsible, but the political elite of Kosovo alone.

Political leaders must also demonstrate a greater willingness to compromise. Further progress in Kosovo will require some devolution of political power. That would help bring government closer to the people and at the same time reassure members of all ethnic groups that they can have greater control over their lives. We welcome the fact that Special Representative Mr. Holkeri, under whose reserved powers issues of local government fall, will soon prepare a concept based on the proposals made by the Council of Europe last year and will consult with the parties concerned. We urge political leaders in Kosovo to move constructively and quickly to engage in open discussion on measures for devolution, without prejudice to the status issue.

Ethnic Serbs and other minorities must demonstrate that they, too, are approaching Kosovo's problems in good faith. One important step is for them to participate fully in the working groups that will be implementing the "Standards for Kosovo".

Clearly, much of the future progress in Kosovo will depend on the economy. In that respect, we look forward to progress soon to be made in the field of privatization. Germany, both through its bilateral assistance and by working through the European Union, will do all it can to promote economic development in Kosovo. But economic development requires, above all, political stability. To secure their economic future, all communities in Kosovo must demonstrate to potential investors that events like the March uprisings will not reoccur and that the ethnic communities can live together in peace.

**Mr. Motoc** (Romania): First, I would like to thank Special Representative Mr. Harri Holkeri, the United Nations Interim Administration Mission in Kosovo (UNMIK) and, not least, the Department of Peacekeeping Operations for this thorough and lucid report of the Secretary-General (S/2004/348). I also welcome the presence at our meeting of Mr. Vuk Draskovic, Federal Minister for Foreign Affairs of Serbia and Montenegro.

Romania associates itself with the statement to be delivered shortly by Ambassador Ryan of Ireland on behalf of the European Union.

The general image of the situation in Kosovo in the aftermath of recent events as depicted in Mr. Holkeri's report is a distressing one. The progress made in the province prior to the ethnically motivated violence in March has been seriously overshadowed by the organized, widespread and targeted attacks against the Serb and other communities in Kosovo.

We are at the stage where simply identifying problems is not enough. Concrete measures have to be adopted and put in place for ensuring the real and effective implementation of measures set out in the Kosovo Standards Implementation Plan and, as an ultimate goal, for the development in Kosovo of a secure, democratic, tolerant and multi-ethnic society.

Therefore, while reaffirming Romania's attachment to the "standards before status" policy, we fully share the view that the aforementioned Plan must be further recalibrated and prioritized. More emphasis should be put on security, returns, minority rights, the rule of law and justice and the devolution of functions from the central level to local bodies, so that every inhabitant of Kosovo and every person wishing to return there can have an equal opportunity for a normal, free and secure life.

The Provisional Institutions of Self-Government and all communities in Kosovo, with the assistance of the international presence, should work together in a responsible and coherent manner to achieve that goal and to prevent the recurrence of similar violence in the future. An important step forward would be the establishment of a stricter legal regime for small and light weapons and the intensification of operations to collect illegal weapons. It is crucial to eradicate the mentality existing in Kosovo of violence as a means to achieve political goals. And that action should proceed at every level and in every field, not least starting with a change of attitude among those political and local leaders who failed to act responsibly during the recent crisis. To the same end, the local media should be supported in acquiring more professional and democratic reporting standards.

As a country of the region, Romania is particularly concerned about the long-term implications of any action related to Kosovo's future. That is why we insist that "standards before status" should be taken very seriously and reiterate that its implementation should be reflected throughout Kosovo, serving as a symbol of the Kosovars' will to live in peace in the region and to promote its stability.

We all have a stake in implementing standards, no matter what status will eventually be arrived at. In the same vein, the longer it takes for standards to be worked on, the more difficult it will prove catch up, irrespective of the eventual determination of the final status. In this context, we note that the report before the Council also stands as an initial review of the current state of standards implementation in Kosovo. Romania attaches great importance to the further development of the review mechanism, the functioning of which will be essential in clarifying the political approach and reasoning of the international community and the Security Council with respect to the discussion of Kosovo's final status.

We can find no better illustration of why full implementation of the standards should dominate the political agenda of Kosovo than the fact that recent violent events have further damaged its already fragile and weak economy. How can one build a future on such foundations? Romania welcomes in that respect the public commitments of Kosovo leaders to implementing the standards. We hope that those commitments — and every chapter of the Kosovo Standards Implementation Plan — will be fully put into

practice in order to maximize the chances of a positive review in 2005.

However, in the short term, we believe that confidence-building in Kosovo will not be possible without some timely and effective measures in terms of rule of law and justice, reconstruction and full protection of minority communities. In that respect, every effort should be made to bring to justice those responsible for the grave attacks in March, to enforce the rule of law throughout Kosovo and to reverse the huge moral damage created by the violence and the destruction of property and Serbian Orthodox churches and monasteries, many of which are part of our universal heritage.

At the same time — and as requested recently by the Council — solutions must be sought for more effective governance and the evolution of responsibilities at the local level, allowing for the full observance of the rights and interests of all members of minority communities. In this context, we welcome proposals that are discussed and agreed by all interested parties. But it is clear that the situation should not be prolonged for too long, as that could generate even more problems for everyone.

Finally, I would like to add a few words of support and acknowledgement for UNMIK and its chief, Special Representative of the Secretary-General Mr. Harri Holkeri, for KFOR and for the entire international presence in Kosovo. They have huge tasks ahead in difficult and — as the report indicates — dangerous conditions. Those tasks cannot be accomplished effectively unless sufficient political backing and resources are made available to them by the international community and the Council.

**The President:** I shall now make a statement in my capacity as the representative of Pakistan.

I wish once again to welcome Mr. Holkeri, the Special Representative of the Secretary-General, to this Chamber and to thank him for introducing the Secretary-General's report, as well as for updating the Council on the work being done by the United Nations Interim Administration Mission in Kosovo (UNMIK).

My delegation also welcomes the participation of the Foreign Minister of Serbia and Montenegro, Mr. Vuk Draskovic, in this debate.

Pakistan reiterates its strong condemnation of the violence in March 2004 and deplores the loss of innocent lives and the destruction of religious and historical sites. We once again call for bringing all perpetrators to justice. We commend the efforts of UNMIK, led by Mr. Holkeri, and of the Kosovo Force (KFOR) in restoring stability and order in Kosovo during and after these tragic events.

The Secretary-General's report, however, is a sobering assessment of the situation in Kosovo in the aftermath of the March violence. We note with concern its assessment that

> "the situation in Kosovo remains tense, and further violence is possible". (*S/2004/348, para. 9*)

The violence has been the most serious blow thus far to inter-ethnic relations in Kosovo. Despite the painstaking efforts of UNMIK, both past and present, we are no nearer healing the wounds that have been inflicted on Kosovo for so long and which we sought to heal when resolution 1244 (1999) was adopted by the Security Council.

Problems persist, especially in the key areas of UNMIK's mandate to ensure sustainable returns, community rights, freedom of movement and the functioning of democratic institutions. Extremists from both sides continue to obstruct meaningful progress in these areas. Parallel structures continue to exist, despite repeated calls for their dismantling. At the same time, Kosovo's economic situation has continued to deteriorate, with marginal support from the international community. Direct dialogue between Pristina and Belgrade has not yet resumed, in spite of commitments by both sides to do so. Above all, security in Kosovo remains fragile, in spite of the presence of thousands of KFOR troops.

Mr. Holkeri, we believe, is making every effort to redress the situation, to defuse tensions and to move forward on the implementation plan. We understand that the implementation plan is also being revised in some key areas to take into account the implications of the recent events. Pakistan will continue to offer its fullest support to Mr. Holkeri in his efforts for the implementation of standards, in line with the provisions of resolution 1244 (1999), and to establish a multi-ethnic, tolerant, democratic and peaceful society in Kosovo.

Mr. Holkeri has remarked that "the recent violence has forced us at UNMIK to take a long, hard look at ourselves". Some, including Pakistan, have felt

that the entire process of seeking to promote standards without addressing the status issue has been flawed in its conception and inappropriate to prepare Kosovo for the transition from war to peace, from socialism to a market economy, and from international political limbo to political and legal clarity. We need to determine whether the failure to clarify the status of Kosovo has fed the frustrations and grievances of both sides, hardened positions and perpetuated the proclivity towards violence. Continued delay in addressing the question of political status will, in our view, increase the complexity of the situation and the dangers of revived violence.

Instead of transforming the "standards before status" issue into dogma, the Council should move with more deliberate political realism to promote peace and prosperity in Kosovo. As Mr. Holkeri said this morning, the time is coming when we shall have to consider how to handle difficult choices. We agree. The Council, in our view, should promote a "status with standards" approach — a two-pronged approach that, on the one hand, would hold the Kosovars, both the people and leadership, accountable for implementing the standards programme, to work to end extremism and intolerance, and to create friendly and cooperative relations with their neighbours. On the other hand, this approach would see simultaneous progress on clarifying Kosovo's status issue and identifying ways of promoting self-determination for all Kosovars, while seeking to uphold the rights and interests of its minorities.

As a first step, the international community must act to hold back the efforts being made to consolidate parallel structures and to pre-empt future discussions on political status. While the plan presented by Belgrade has been advanced unilaterally, this is an acknowledgement of the need to begin consideration of the status issue. Other ideas on the status issue, especially from the Kosovars themselves, should be welcome. The Council and UNMIK, while securing the implementation of standards, should begin to give consideration to proposals on the status issue. A change of course is essential to creating hope for peace and to ending the tragic legacy of war and suffering in that region.

I now resume my functions as President of the Council.

The next speaker inscribed on my list is the representative of Ireland. I invite him to take a seat at the Council and to make his statement.

**Mr. Ryan** (Ireland): I have the honour to speak on behalf of the European Union (EU). The candidate countries Bulgaria and Romania, and the European Free Trade Association countries Iceland, Liechtenstein and Norway, members of the European Economic Area, align themselves with this statement.

In common with other speakers, we welcome the presence at this meeting of the Secretary-General. We also warmly appreciate the presence of Foreign Minister Vuk Draskovic of Serbia and Montenegro.

I would like to express our appreciation for the presence here today of Mr. Holkeri and we welcome the opportunity to hear a briefing on the situation in Kosovo. The European Union has expressed its full support for the efforts of Special Representative Harri Holkeri, the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) to stabilize the situation and to ensure the implementation of resolution 1244 (1999) and the policy of "standards before status".

In our statement to the Council on 13 April, the European Union strongly condemned the recent ethnically motivated violence in Kosovo that resulted in many dead and wounded, the destruction of personal property and the destruction of Serbian Orthodox churches and monasteries, which form part of the common religious and cultural heritage of all Europeans. The EU also strongly condemned the attacks on the troops of KFOR and on the personnel and sites of UNMIK. Extremism and intolerance are contrary to European values. The European Union urges the Provisional Institutions of Self-Government to take concrete steps to fulfil their commitment to rebuilding multi-ethnicity and reconciliation throughout Kosovo.

The Secretary-General's report clearly sets out the background to the recent violence, and also notes the need for concrete action by the leaders and people of Kosovo to ensure that the violence is not repeated.

The European Union emphasizes its full support for the policy of "standards before status", and we note that the presentation of the Kosovo Standards Implementation Plan on 31 March in Pristina is a step forward in the standards process. We urge the

Provisional Institutions of Self-Government to demonstrate their responsibility for, and commitment to, achieving concrete progress on the implementation of the standards.

We also stress the importance of reconciliation between the communities in Kosovo and urge the parties to resume the direct dialogue between Pristina and Belgrade in order to address critical issues of common interest. The European Union stands ready to support that dialogue.

The European Union has reaffirmed its strong commitment to a secure, democratic, multi-ethnic and prosperous Kosovo. The recent violence has been a setback for Kosovo and has endangered the progress made in recent years. The European Union believes that in the aftermath of the violence the immediate priorities must be to ensure security, to facilitate the return of displaced persons, to reconstruct destroyed property and religious sites and to bring those responsible to justice. Progress by the Provisional Institutions of Self-Government in meeting the standards will be assessed periodically, and progress towards a process to determine the future status of Kosovo, in accordance with resolution 1244 (1999), is conditional on the positive outcome of a comprehensive review.

The European Union urges all political leaders in Kosovo, in particular the Kosovo Albanian leadership, to work closely with the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) to address the many challenges that lie ahead, including economic development. The European Union welcomes the presidential statement adopted by the Security Council on 30 April (S/PRST/2004/13), which outlined the need to allow for more effective local government through devolution and to ensure the physical security and the full protection of the rights of members of all communities in Kosovo.

**The President:** The next speaker inscribed on my list is the representative of Japan. I invite him to take a seat at the Council table and to make his statement.

**Mr. Haraguchi** (Japan): I would like to thank you, Mr. President, for convening this public meeting. I would also like to thank Mr. Harri Holkeri, Special Representative of the Secretary-General, for his comprehensive briefing on the situation in Kosovo.

As I stated at the previous public meeting on this item (see S/PV.4928), the Government of Japan is very concerned about the violence that erupted in March in Kosovo. Based on that incident, we wish to reiterate the following points, which we think should be given serious consideration by all members of the international community.

First, I would like to reiterate once again that the most important lesson we have learned from the violence is that we must redouble our efforts towards the establishment of a democratic and multi-ethnic society in Kosovo. There is no alternative to implementing the Kosovo standards if we are to reach that goal.

As became clear from the violence, there is still a strong need for improvement in the protection of minorities, including Serbs. Guaranteeing various minority rights, including freedom of movement, must be one of the most important elements of a democratic and multi-ethnic Kosovo. Devolution of responsibilities to local authorities should therefore not lead to the division of Kosovo along ethnic lines. It must be considered with a view to ensuring that it contributes to the creation of a democratic and multi-ethnic society.

In addition, efforts to strengthen minority rights in Kosovo must be accompanied by sustainable returns. In that connection, we call for the resumption of the direct dialogue, especially the working group on refugee returns. We expect the Secretary-General to include those issues in his recommendations for incorporation into the Kosovo Standards Implementation Plan.

Secondly, the violence has also demonstrated all too clearly the need for increased security in Kosovo. My Government expresses support for the prompt response of the Special Representative, Mr. Harri Holkeri, and of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR) in their efforts to stabilize the situation in the immediate aftermath of the violence. At the same time, on the basis of an assessment of the measures taken by UNMIK prior to the outbreak of violence, we need to study seriously the question of how we can achieve sustained improvement in the security situation.

The Government of Japan also notes with alarm the fatal incident among UNMIK officers on 17 April

and the concern that has been expressed over the issue of discipline in relation to some of the international staff in Kosovo. The need for peacekeepers to win the respect of the people in the region where they are operating should be self-evident.

With regard to the issue of the trafficking of girls and women, Japan hopes that UNMIK will provide further information and will take appropriate measures to address the problem without delay.

My Government intends to adhere to its commitment to achieving stability and prosperity in Southeastern Europe, in cooperation with the international community as a whole. It is our firm belief that stabilizing the situation in Kosovo is essential for the stability and prosperity of the entire region.

**The President:** The next speaker inscribed on my list is the representative of Iceland. I invite him to take a seat at the Council table and to make his statement.

**Mr. Hannesson** (Iceland): Iceland, as a member of the European Economic Area, aligns itself fully with the statement just made by Ambassador Richard Ryan on behalf of the European Union, including its welcome to Mr. Harri Holkeri and its strong support for his work and that of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR). I would also like, as others have done, to state our appreciation to the Minister for Foreign Affairs of Serbia and Montenegro for his participation here today.

Iceland recognizes, along with its partners, the need for long-term practical commitment to the rebuilding of the western Balkan region. In that spirit, at the request of the Secretary-General of NATO, Iceland took over the running of the Prístina airport in March 2003; the personnel included some 200 persons from 13 countries. Iceland provided both air traffic controllers and firefighting personnel. During that period the management of the airport has been upgraded to full International Civil Aviation Organization standards. In looking to future sustainability, Iceland has emphasized the preparation of local operatives. Some 50 firefighters and 20 air traffic controllers have received training. UNMIK has now taken over control of the airport but will continue to be assisted by the Icelandic Civil Aviation Administration on a contractual basis.

We emphasize the need for continuation of the peaceful economic and social reconstruction of Kosovo, including a constructive confidence-building dialogue between the communities. We urge the parties concerned to cooperate fully with UNMIK and KFOR and to renounce violence, and thereby to facilitate the political process designed to determine Kosovo's future based on Security Council resolution 1244 (1999).

**The President:** The next speaker inscribed on my list is the representative of the Ukraine. I invite him to take a seat at the Council table and to make his statement.

**Mr. Kuchinsky** (Ukraine): On behalf of my delegation, I wish to thank you, Mr. President, for holding this important meeting today. I avail myself of this opportunity to wish the Pakistani delegation and you personally every success in fulfilling the highly responsible duties of the Security Council presidency.

My gratitude goes to the Special Representative of the Secretary-General, Mr. Harri Holkeri, for his update on the current situation in Kosovo. I am also pleased to see at the Council table the Foreign Minister of Serbia and Montenegro, Mr. Vuk Draskovic, whose remarks made an important contribution to the comprehensive analysis of the current situation on the ground.

Ukraine strongly condemned the outburst of inter-ethnic violence in Kosovo last March, which resulted in dozens of deaths and hundreds of injuries, the demolition of property and the destruction of religious and cultural heritage and also the outrageous, inadmissible attacks on the representatives of international presence, including the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR.

In the statement issued by the Ministry of Foreign Affairs of Ukraine, my Government expressed its absolute rejection of any manifestations of violence based on political, ethnic or other forms of extremism as an unacceptable way of resolving the existing problems in Kosovo. It was also stated that Ukraine strongly hoped for the continuation of the democratic process aimed at establishing a multi-ethnic, tolerant and democratic society in a stable Kosovo.

The latest report of the Secretary-General on UNMIK (S/2004/348) has demonstrated that the root

causes of the widespread violence are yet to be thoroughly analysed and addressed by the international community. There is a long path ahead in reaching the standards for Kosovo. In fact, today, instead of speaking about real multi-ethnicity in the province, we have to return to the implementation of the "agenda for coexistence" put forward by the former Special Representative of the Secretary-General, Mr. Bernard Kouchner, some five years ago. That is the reality.

In addressing the Kosovo crisis, the international community, with the United Nations at the forefront, has to ensure that the process of political recovery will be fully along the lines of the framework established by resolution 1244 (1999) and the "standards before status" policy. In that regard, we strongly support the observations made in the Secretary-General's report, as well as the Security Council's position expressed in the statement of its President of 30 April 2004 (S/PRST/2004/13).

As was stated by many speakers today, the Provisional Institutions, local authorities and political leaders should bear more responsibility in the process of normalization. In our view, it is highly important to restore direct dialogue between Belgrade and Pristina. In that context, we welcome the readiness to restore the dialogue expressed by the Minister for Foreign Affairs of Serbia and Montenegro at this meeting.

For its part, Ukraine will spare no effort in providing its assistance to the settlement of the situation in Kosovo. Most recently, in response to the United Nations request, Ukraine increased its contribution to the UNMIK police with 10 investigators. They were deployed a week ago by the newly created task force aimed at bringing to justice those responsible for the crimes perpetrated during the recent riots.

We believe that the region must continue to carry out significant work to meet the standards set by the international community, especially taking into account the recent developments. Acts of intimidation and violence must stop. Key requirements related to the status of ethnic minorities and the return of refugees and internally displaced persons should be fulfilled. The situation demonstrates a lack of equality in fundamental rights and freedoms and has to be radically changed.

In conclusion, I want to stress that Ukraine reaffirms its commitment to promoting peace and security in Kosovo and expresses its support for the work of the international presence in the region. We look forward to further assisting UNMIK and KFOR in their efforts to implement Security Council resolution 1244 (1999).

**The President**: I thank the representative of the Ukraine for his kind words addressed to me.

The next speaker on my list is the representative of Albania. I invite him to take a seat at the Council table and to make his statement.

**Mr. Nesho** (Albania): At the outset, allow me to congratulate you, Sir, on your presidency of the Security Council and to wish you every success.

The Albanian delegation welcomes the presence of the Special Representative of the Secretary-General, Mr. Harri Holkeri, at this Security Council meeting and commends the work and great efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) and KFOR in achieving their important goal of a free, democratic and multi-ethnic Kosovo.

The negative events of March 2004 in Kosovo should not deny or dispute the progress and overall success already achieved there, such as the creation of an open and free society, the building of democratic institutions and the new prospect for the people of Kosovo to integrate themselves into the European family.

UNMIK should face the problems created by the events of March 2004 with realism, not only by condemning the perpetrators of the violent acts, but also by identifying the responsibilities of all the parties involved and programming in advance all the tasks and obligations that must be carried out by all the institutions in Kosovo.

We welcome and encourage UNMIK to continue vigorously implementation of resolution 1244 (1999) and the decisions of the international community, regardless of nationalistic pressures and interference and destabilizing actions carried out by extremist groups. The determination to go ahead with the plan of action and to achieve the goals of the standards will lay the groundwork for full discussion of the final status of Kosovo.

The realistic evaluation of the situation in Kosovo gives incentive to the need to transfer more social and economic powers from UNMIK to the

Provisional Institutions of Self-Government. It also demonstrates the necessity for a faster privatization process and for strengthening the rule of law by sharing responsibility with local authorities. It is the right time, and it would be very useful as well, to find the solution to the problem of parallel structures so that they will no longer continue to challenge the vision and the ideas of UNMIK regarding the country's future.

The Government of Albania reaffirms its appreciation for the work of UNMIK and the Special Representative of the Secretary-General, Mr. Holkeri, and reiterates its continuing support for their mission in Kosovo.

The Albanian Government has followed attentively the latest developments in Kosovo and has condemned the violence exercised by extremist elements to destabilize the situation. The perpetrators of violence have jeopardized the democratic process and the future of Kosovo. For these actions they should be brought to justice. The citizens of Kosovo should realize that their free and democratic future will be achieved only when a multi-ethnic society is functioning, when the rights and freedoms of minorities are protected by law and when civil society and democratic institutions, through heightened conscience and mature action, will help the existing reality become more effective.

Dialogue between Pristina and Belgrade on technical issues of mutual interest should restart as soon as possible. This is an important time — a time when Kosovo's democratic Provisional Institutions should take a leading role and collaborate closely with UNMIK and KFOR to implement the standards. It is important that Kosovo's Institutions be open and that they assist in the process of returning displaced persons, strengthen the rule of law, create an impartial justice system and work to establish the right conditions and environment for all people in Kosovo to work together towards their common future.

For a relatively long period of time, this body and the international community have promoted the creation of a multi-ethnic society as the only solid foundation for a democratic culture in Kosovo. We acted to give life to that idea when hate and division were at their most extreme, yet we still achieved considerable success. This process of building a multi-ethnic society cannot be held back by new proposals based on old ideas of division and cantonization, provided with legal cover and introduced as a democratic process aimed at decentralizing power.

What we should offer to Kosovo is freedom, not isolation; peaceful coexistence, not division along ethnic lines. We should offer Kosovo the opportunity to become, as quickly as possible, part of the European family and a place where aspirations and opportunities are shared equally by all. Kosovo is not an experiment that can take shape according to the tenor of the old nationalistic rhetoric of the Balkans. Kosovo needs the political will of all interested parties; it needs them to understand and evaluate the irreversible realities and to contribute positively to finding a democratic solution that is acceptable to all and in the interest of peace and stability in the region.

**The President:** I thank the representative of Albania for the kind words he addressed to me.

I shall now give the floor to Mr. Holkeri to respond to comments and questions.

**Mr. Holkeri:** I thank the members of the Council for their constructive discussion of issues of crucial importance to the United Nations Interim Administration Mission in Kosovo (UNMIK) and to the people of Kosovo. The proposals and assessments of Council members are most welcome. I will now try to answer the questions raised in the discussion and offer my comments on some details of particular interventions.

I will begin with the Foreign Minister of Serbia and Montenegro, whom I thank for his remarks. I fully agree with his call for dialogue and reconciliation between Kosovo Serbs and Kosovo Albanians.

I should like to pick up one point from the very insightful statement made by the representative of France. I welcome and agree with his statement that those considering how to handle Kosovo's political future should do so in transparency and discussion with one another. We are entering a tricky and sensitive phase, and we in the United Nations should closely coordinate our efforts with those of concerned Member States.

I fully concur with the representative of France's observations on the quality of the media in Kosovo. Like media in other regions emerging from ethnic conflict, the media in Kosovo do not meet international standards. UNMIK is studying carefully the recent report of the Organization for Security and Cooperation in Europe and is prepared to consider

appropriate measures to impose sanctions on the media that inflamed the situation in March.

I take note of the list of measures outlined by the representative of the Russian Federation, aimed at normalizing the situation in Kosovo following the March violence. As I stated in my briefing, enhancing security in Kosovo — particularly the security of non-majority communities — and working towards multi-ethnicity, returns and freedom of movement are at the heart of UNMIK's current efforts. The implementation of the standards remains the centrepiece of UNMIK's activities under its mandate, in accordance with resolution 1244 (1999).

The representative of Japan referred to a recent Amnesty International report. He said that, with regard to the issue of trafficking in girls and women, Japan hopes that UNMIK will provide further information and take appropriate measures to address the problem without delay. UNMIK takes the Amnesty International report very seriously. The report on human trafficking addresses a very serious problem that is common throughout the Balkans. We recognize that UNMIK has important responsibilities to combat this tragic and criminal phenomenon in Kosovo. UNMIK policy is also to ensure the provision of appropriate assistance and rehabilitation to the victims of such trafficking. Our Mission takes immediate and strict disciplinary action against any staff member found in establishments where prostitution is suspected and that we have declared to be off-limits. I have directed UNMIK staff to review the recommendations in Amnesty International's report and to take action to improve our response in combating human trafficking where appropriate.

I should like to thank in particular two countries, Iceland and Ukraine. Iceland has provided us with important support in areas where it has expertise — air traffic control and airports.

Ukraine is one of the few countries that responded to our request by providing new investigators for the riots that took place mid-March. We are grateful for that kind of support, and we hope that this encourages other Member States to help us as well.

In conclusion, I would like to thank Council members for their support of UNMIK and of our policies. Such support is absolutely essential for our joint efforts in the successful implementation of Security Council resolution 1244 (1999). I note the priority issues raised in members' interventions: security, the rule of law, the rebuilding of houses and destroyed property, protection of the rights of communities, multi-ethnicity, returns, reform of local government, implementation of standards and revival of Kosovo's economy. I can assure the Council that these are our common priorities and that we will make every effort to achieve them.

Finally, let me say that I am encouraged by this discussion. I sense a growing recognition of the fact that the United Nations and all concerned Member States must reflect deeply on the issue of how to handle Kosovo's political future and move towards a more stable political settlement. I encourage this reflection and look forward to further discussions with the Council on the sensitive steps ahead of us.

**The President**: I thank Mr. Holkeri for his clarifications and comments.

I understand that the Foreign Minister of Serbia and Montenegro wishes to make a further statement, and I give him the floor.

**Mr. Draskovic** (Serbia and Montenegro): I should like to underline two issues in particular.

The first issue is that of final status, which was mentioned by many members. For the Government of Serbia and the Government of Serbia and Montenegro, the final status of the province of Kosovo entails very specific models for local autonomy and self-rule of Albanian Serbs and other non-Albanians, reconciliation, forgiveness and repentance, in the framework of Serbia and the European Union.

With respect to the framework of the European Balkans, which my Government sees as a region in which State borders would exist on maps only, not in practice, my Government is for the project. We in the Balkans must become Europeans from within. We must start to act and think in the European way; that is the condition for us to be accepted by Europe. The interdependence of States, nations, cultures, religions — that is the future. Independence that is rooted in past attempts at ethnic and religious domination must be consigned to history.

Secondly, let me turn to the issue of privatization. Of course, this is very important. But the United Nations, the United Nations Interim Administration Mission in Kosovo (UNMIK) and Mr. Holkeri must be

very careful, because we in Kosovo need, first of all, a restitution law. After the Second World War, communists took land, property and houses from many people and institutions that were against communism. Some might now say, well, that happened a long time ago. But no — a restitution law must be the condition for privatization.

The main victim of that communist crime in Kosovo was the Serbian Church. The Church's land must be given back to it. Individuals' land must be given back to them, regardless of who they may be — Serbs, Albanians or others. It will be up to them to decide later what to do with their property.

I studied the law, and I should like to say to the Council that restitution and the rejection of the legalization of any crime is the basis of the law. It is stated in an article of the *Codex Justinianus* that, if something is criminal in the beginning, it cannot be legalized by the passing of time.

The Government of Serbia and Montenegro and the Government of Serbia are grateful for the opportunity to speak about such an important and painful issue as Kosovo.

**The President**: I thank the Foreign Minister of Serbia and Montenegro for those remarks.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 1.20 p.m.*